



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor

Wayne A. Rosenthal, Director

February 26, 2015

Eric Moldenhauer
Burns & McDonnell
1431 Opus Place, Suite 400
Downers Grove, IL 60515

RE: Aurora Fox River Remediation Project
IDNR Project # 1505727
Kane County

Dear Mr. Moldenhauer:

This letter concerns the Endangered Species Consultation for the Aurora Fox River Remediation Project located in Township 38N, Range 8E, Sections 21 and 28 in Kane County. This project was submitted for consultation on an IEPA permit in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

Remediation work will include excavating soil to a depth ranging from approximately 25 to 35 feet below ground surface; stabilizing the riverbank and North Avenue Bridge with an earth retention structure, transporting excavated material for disposal in a special wastes permitted landfill; and importing, placing and compacting clean fill as needed. Work is not expected to begin until 2016 and instream work is expected to take approximately 12 months.

The state-listed endangered Greater Redhorse (*Moxostoma valenciennesi*) and state-listed threatened River Redhorse (*Moxostoma carinatum*) are known to occur at the remediation site and construction is likely to result in a prohibited take of these species. The Department recommends that the applicant apply for Incidental Take Authorization (ITA) in accordance with *17 Ill Adm. Code Part 1080* (copy enclosed) for both species. Communication concerning the ITA application should be directed to Jenny Skufca, Division of Natural Heritage, 217-557-8243 or Jenny.Skufca@illinois.gov.

The Department also recommends that, if possible, no in-stream work be conducted during fish spawning season, which can occur between April 1 and June 15.

A mussel survey and relocation effort was previously conducted for this project, but it has been more than five years since that work was completed. The Department recommends that a mussel

survey be conducted before construction begins. As previously discussed, please forward a mussel survey proposal to Nathan Grider for concurrence on methods before initiating field work. If listed mussel species are found, the applicant should also apply for Incidental Take Authorization for these species.

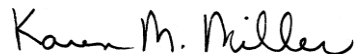
Consultation on the IEPA permit is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions.

Sincerely,



Karen M. Miller
Division of Ecosystems and Environment
Phone (217) 785-5500
karen.m.miller@illinois.gov

cc: Jenny Skufca, Division of Natural Heritage, IDNR

Nathan Grider, Division of Ecosystems and Environment, IDNR